

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

PAUL ROPPOLO,

Plaintiff,

v.

JAMES YATES, et al.,

Defendants.

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CIV 19-142-JHP-SPS

OPINION AND ORDER

Plaintiff is a pro se state prisoner seeking to bring a civil action pursuant to 42 U.S.C. § 1983 (Dkt. 1). On June 18, 2019, the Court directed him to submit either a motion to proceed *in forma pauperis* with a Statement of Institutional Accounts or to pay the \$400.00 filing fees for this action (Dkt. 17). On June 27, 2019, he submitted a Statement of Institutional Accounts indicating he has a total of \$956.80 in his draw and savings accounts (Dkt. 18). The Court, therefore, finds he has sufficient funds to prepay the \$350.00 filing fee and the \$50.00 administrative fee required to commence this action. 28 U.S.C. § 1914; District Court Fee Schedule.

In forma pauperis status may be denied if the total balance of the prisoner's institutional accounts exceeds the sum of the required filing fee plus \$10.00. In the event *in forma pauperis* status is denied, payment of the entire filing fee shall be required to commence the action or appeal. Failure to pay the filing fee or any other payment ordered by the Court by the date specified, to seek a timely extension within which to make the payment, or to show cause in writing for failure to pay by the date specified shall be cause for dismissal of the action without prejudice to refile.

Local Civil Rule 3.5(b). Plaintiff is directed to submit the total of **\$400.00** for filing and administrative fees within twenty (20) days, or show cause in writing by that date for his failure to do so.

IT IS HEREBY ORDERED that Plaintiff forward **\$400.00** for the \$350.00 filing fee and the \$50.00 administrative fee to the Court Clerk within twenty (20) days of the entry of this Order,

or show cause by that date why he does not have the assets to pay the fees. The agency having custody of Plaintiff is ordered to release funds from Plaintiff's accounts, including Plaintiff's trust account, for payment of the required fees. Plaintiff is advised that unless by the date set forth above he has either (1) paid the full filing fee and administrative fee or (2) shown cause in writing for his failure to pay, this action will be subject to dismissal without prejudice to refiling.

IT IS SO ORDERED this 1st day of July 2019.



James H. Payne
United States District Judge
Eastern District of Oklahoma